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Attorneys for Plaintiffs Oregon Restaurant and
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Center

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

OREGON RESTAURANT AND LODGING
ASSOCIATION, an Oregon Domestic Non-
Profit Corporation; and RESTAURANT LAW
CENTER,

Plaintiffs,

v.

KATE BROWN, in her official capacity as the
Governor of the State of Oregon,

Defendant.

Case No. 3:20-cv-2017

DECLARATION OF CHAD WEST IN
SUPPORT OF PLAINTIFFS' MOTION
FOR TEMPORARY RESTRAINING
ORDER

EXPEDITED CONSIDERATION
REQUESTED

HEARING REQUESTED

I, Chad West, hereby declare:

1. I make this declaration based upon my personal knowledge, and I am competent
to testify to the matters stated in this declaration. I make this declaration in support of *Plaintiffs'*

Motion for Temporary Restraining Order. The Oregon Restaurant and Lodging Association is authorized to act on behalf of me and my businesses in addressing Governor Kate Brown's COVID-19 related executive orders.

2. I am the co-owner of several "food establishments" that are subject to Governor Brown's Executive Order 20-65, including Mucho Gusto Mexican Kitchen, which has two locations in Eugene, Oregon and one location in Medford, Oregon, as well as DickieJo's Burgers, DickieYo's Frozen Treats, and Bill & Tim's Barbeque and Tap House in Eugene, Oregon. Each of these establishments is duly authorized to carry on business in the state of Oregon and in the cities in which they operate, and they are subject to applicable health department regulations. In all, my restaurants currently employ up to 106 employees, although this is 28 fewer employees than were employed just prior to the start of the COVID-19 pandemic.

3. At the start of the COVID-19 pandemic, these establishments were closed for a period of nine weeks beginning March 16, 2020. In May of this year, we began the process of reopening the establishments. Sales, however, have been down, and as of the end of October, we have lost approximately one-half million dollars in revenue. This has been devastating.

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4. Although we intend to keep our establishments open during the 2-week freeze period ordered by the Governor, relying on various delivery types and expanding our on-line ordering, this model is not sustainable. Over the course of the next two weeks, we anticipate losses of up to \$100,000. To compensate, we have reduced our labor by 340 hours per week (in part by reducing employee hours and, unfortunately, by letting some employees go). These losses, however, are not sustainable, and absent assistance from either the U.S. or Oregon governments, we will have to begin closing these businesses.

I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT I UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY OF PERJURY.

DATED this 18th day of November, 2020.

By: s/ Chad West
Chad West